

**INTRODUCTION:**

In accordance with the foregoing, claims 4, 7, 8, 10, 28, and 31 have been amended and new claim 47 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 4-10 and 15-47 are pending and under consideration.

**ENTRY OF AMENDMENT UNDER 37 C.F.R. § 1.116:**

Applicants request entry of this Rule 116 Response because the amendments of claims 4, 7, 8, 10, 28, and 31 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and the amendments do not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

**REJECTION UNDER 35 U.S.C. § 102:**

*In the Office Action, at page 22, claims 4-5, 7-10, 15-24, 26-27, 30-32, 40-43, and 45 were rejected under 35 U.S.C. § 102 in view of EP 0 833 337 A2 to Aramaki et al. ("Aramaki"). This rejection is traversed and reconsideration is requested.*

Aramaki generally describes an editing method for **deleting a prescribed section** of a program and editing apparatus thereof. Emphasis added. See abstract of Aramaki. A **recording time** of programs is recorded using 6 bytes, where two bytes are taken for the manufacturers code and a model code showing the manufacturer of the recording apparatus used for recording the program. However, nothing in Aramaki teaches or suggests that any of the bytes includes manufacturer information including "a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer

information,” as recited in independent claim 4.

Rather, Aramaki simply provides editing processes such as, for example, a divide function for dividing one program into a plurality of programs, a combine function for linking a plurality of programs as one program, and a move function. See column 1, lines 36-40.

Although recorded programs in Aramaki are managed at the U-TOC and start address and end address of the each program are managed at the U-TOC information, nothing is taught or suggested as to providing “a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 4.

Further, Aramaki fails to teach or suggest, “the manufacturer information comprises an identification information of the manufacturer of a recording apparatus that **recorded or modified** the content of the recording medium **different** from the identification information **prior** to the recording or the modification,” emphasis added, as recited in independent claim 4. Rather, Aramaki limits its description to designating a start point and an end point of the section to be deleted and linking the programs preceding and proceeding the erased portion. The cited reference fails to teach or suggest all the claimed features recited in independent claim 4.

Furthermore, the Office Action refers to similar portions of the cited references to reject independent claims 7, 8, 10, and 31 as the portions of the cited references previously discussed and distinguished from the claimed features of independent claim 4. The arguments presented above supporting the patentability of independent claim 4 in view of Aramaki are incorporated herein to support the patentability of independent claims 7, 8, 10, and 31.

Accordingly, Aramaki fails to teach or suggest all the claimed features of independent claims 4, 7, 8, 10, and 31. It is respectfully requested that independent claims 4, 7, 8, 10, and 31 and related dependent claims be allowed.

**REJECTION UNDER 35 U.S.C. § 103:**

*In the Office Action, at page 29, claims 6 and 25 were rejected under 35 U.S.C. § 103 in view of Aramaki in view of U.S. Patent No. 5,758,355 to Buchanan (“Buchanan”). This rejection is traversed and reconsideration is requested.*

Because claims 6 and 25 depend from independent claims 4 and 7, respectively, the cited references, individually or combined, must teach or suggest all the claimed features recited in independent claims 4 and 25. The arguments presented above supporting the patentability of

independent claims 4 and 25 in view of Aramaki are incorporated herein.

According to Buchanan, company records, for example, may indicate not only which companies are associated with a particular team, but also may identify records in a contact table that specify the contact persons at the company. See column 2, lines 33-37. A Contact Table of Buchanan includes contact id., first name, last name, company id., row id., modify date, and modify employee. See column 8, lines 40-50. However, similarly to Aramaki, Buchanan fails to teach or suggest “a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 4. Rather, the Contact Table appears to merely list employees of different companies modifying a company’s records. There is no teaching or suggestion in Buchanan that the Contact Table stores “a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 4. The identification information includes employees modifying records that are related to a team for which an associated remote employee is included. See column 7, lines 47-52. Furthermore, Buchanan fails to teach or suggest “wherein the manufacturer information comprises an identification information of a manufacturer of a recording apparatus **that recorded or modified the content of the recording medium different from the identification information prior to the recording or the modification,**” emphasis added, as recited in independent claim 4.

In view of the foregoing, it is respectfully requested that independent claims 4 and 25 and related dependent claims be allowed.

*In the Office Action, at page 30, claims 28-29, 33-39, 44, and 46 were rejected under 35 U.S.C. § 103 in view of Aramaki in view of U.S. Patent No. 6,038,366 to Ohno et al. (“Ohno”). This rejection is traversed and reconsideration is requested.*

Because claims 46 and claims 33-39 depend from independent claims 4 and 31, respectively, the cited references, individually or combined, must teach or suggest all the claimed features recited in independent claims 4 and 31. The arguments presented above supporting the patentability of independent claims 4 and 31 in view of Aramaki are incorporated herein.

Independent claim 28 recites, “wherein the manufacturer information comprises a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information.” The Office Action refers to similar portions of Aramaki to reject independent claim 28 as the portions of the cited references

previously discussed and distinguished from the claimed features of independent claim 4. The arguments presented above supporting the patentability of independent claim 4 in view of Aramaki are incorporated herein to support the patentability of independent claim 28.

Ohno generally provides a magnetic recording/reproducing apparatus, which can facilitate search of programs recorded on a magnetic tape. See column 2, lines 14-20 of Ohno. The apparatus checks whether a VTR manufacturer number data as fetched from the tape coincides with the VTR manufacturer number stored in a library memory 4. See column 6, lines 25-31 of Ohno. However, rather than teaching or suggesting that the apparatus records **“manufacturer information to support a manufacturer’s specific function, wherein the manufacturer information comprises an identification information of the manufacturer of a recording apparatus that recorded or modified the content of the recording medium different from the identification information prior to the recording or the modification,”** emphasis added, as recited in independent claim 4, in Ohno, unless coincidence is found, a control processing is **terminated** by regarding the tape as loaded is not the one of concern. Emphasis added.

Similarly to Aramaki, Ohno does not teach or suggest, “a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 4, “wherein the manufacturer information comprises a last address of the manufacturer information for the recording and/or reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 28, and “wherein the manufacturer information comprises a last address of the manufacturer information for the reproducing apparatus to identify the last address of the manufacturer information,” as recited in independent claim 31. Rather, Ohno recognizes that the problem of erroneous recognition of a tape can satisfactorily be coped with by using as tape identification information the manufacture number (i.e., the VTR manufacture number) of the magnetic recording/reproducing apparatus that was used for recording programs on the tape. See column 2, lines 30-37.

Accordingly, Aramaki and Ohno, individually or combined, fail to teach or suggest all the claimed features of independent claims 4, 28, and 31 and related dependent claims. It is respectfully asserted that independent claims 4, 28, and 31 and related dependent claims are allowable in view of the prior art of record.

Such combination fails to teach or suggest all the claimed features of independent claims 4, 28, and 31. It is respectfully requested that independent claims 4, 28, and 31 and related

dependent claims be allowed.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4/28/2004

By: Alicia M. Choi  
Alicia M. Choi  
Registration No. 46,621

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501